

Laurin Grabowski

From: Kevin McDevitt
Sent: Tuesday, March 11, 2008 12:41 PM
To: calaff@michaelbest.com
Cc: 'Brett Hutton'; David P. Miranda; Susan Neal; Laurin Grabowski; e-mail
Subject: Middleby Marshall/G.S. Blodgett v. Pizza Equipment Supply, Inc. -Our File 61075.0011

Dear Chuck:

Thank you for your facsimile dated yesterday.

To confirm our telephone conversation this morning, Brett Hutton has received your client's latest settlement proposal and is discussing same with our client. He hopes to get back to you with a response later this week.

Regarding Defendant's Motion to Dismiss/Transfer, we discussed Defendant's preference not to withdraw such motion. Rather than having Defendant send you a letter summarizing the legal and factual grounds for the motion to dismiss at this point, you have agreed to accept Defendant's memorandum in support of its motion for this purpose. We also agreed to tentatively schedule a telephone call for 3:00 p.m. Central time tomorrow to discuss whether we can resolve any issues relating to the motion. If we can resolve any of the issues, Defendant agrees to modify the motion accordingly. After our telephone call, we will also submit a modified statement of compliance with the Court.

Please confirm that 3:00 p.m. tomorrow works for you. Thereafter, we will send around a call in number.

Thank you for your cooperation Chuck.

Sincerely,
Kevin

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